



CANNON BUILDING
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STATE OF DELAWARE
DEPARTMENT OF STATE
DIVISION OF PROFESSIONAL REGULATION

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PUBLIC MEETING MINUTES:	DELAWARE GAMING CONTROL BOARD
MEETING DATE AND TIME:	Thursday, March 4, 2010 at 1:00 p.m.
PLACE:	861 Silver Lake Boulevard, Dover, Delaware Public Service Commission Hearing Rm, first floor of the Cannon Building
MINUTES APPROVED:	May 6, 2010

MEMBERS PRESENT

Deborah Messina, Chairperson, Public Member
James Greene, Vice - Chairman, DE Volunteer Fireman's Association Member
Sharon McDowell, Public Member
Brad Barrie, Public Member
Scott Angelucci, Public Member

DIVISION STAFF/DEPUTY ATTORNEY GENERAL PRESENT

Eileen Heeney, Deputy Attorney General
Renee' Holt, Administrative Specialist II

MEMBERS ABSENT

ALSO PRESENT

Vera Sitze, Wilcox & Fetzer
Gregory Bourne
Chrck H – Holy Cross
Debbie Campbell
Sadie Patton
Jerry Mitchell
Betty Drew
Beth Thibault
Lou Thibault
Jim Brady, Cmdr., Amer. Legion, Lt. J. Allison O'Danile, Newark
Howard. R. Killen, Jr., Cheswold VFC
Joseph Siciliano
David Bart, Claymont Business Owners
Robert McFarland III, Double Deuce Casino Events
Marie Carney, Brother Vincent Columbiettes
Mary Lou Bush
Gregory Howen, Brother Vincent Council #7517, Knights of Columbus
Tate Walters
Ken Steele
C.W. Clayton, Full House Poker
F.B. Saylor

Robin Saylor
D-C Brown, Homeless Cat Helpers, Inc
Bret Sadler, Claymont Renaissance Corporation

CALL TO ORDER

Ms. Messina called the meeting to order at 1:12 p.m.

REVIEW OF MINUTES

Ms. Messina moved the review of the minutes to the end of the agenda. The meeting ended without the minutes being reviewed.

HEARINGS

Present for All Hearings - Deborah Messina, James Greene, Sharon McDowell, Brad Barrie, Scott Angelucci, Eileen Heeney, and Renee' Holt

Court Reporter for All Hearings– Vera Sitze, Wilcox & Fetzer

Proposal to Deny Hearings

Joseph Siciliano, Jr. *1:00 p.m.*

The hearing began at 1:14 p.m. The court reporter took verbatim testimony. Ms. Heeney reviewed the purpose of the hearing. The Division of Professional Regulation's Investigative Unit Report was entered into the record as Board Exhibit 1. Ms. Heeney confirmed Mr. Siciliano was aware of his rights to be represented by an attorney. Mr. Siciliano confirmed he was aware of his rights and was present without counsel. Ms. Heeney asked the Board to introduce themselves for the record. The court reporter swore in Mr. Siciliano. Mr. Siciliano gave opening statements to the Board.

Mr. Greene questioned Mr. Siciliano. Mr. Siciliano gave testimony. After testimony was given, Ms. Messina read into the record the recommendations of the Investigative Unit. The Board went off the record for deliberations at 1:23 p.m.

The Board went back on the record at 1:26 p.m. Mr. Barrie made the motion to deny licensure, seconded by Ms. McDowell. The motion was unanimously approved.

The hearing closed at 1:27 p.m.

Tate Walters *1:30 p.m.*

The hearing began at 1:32 p.m. The court reporter took verbatim testimony. Ms. Heeney reviewed the purpose of the hearing. Ms. Heeney confirmed Mr. Walters was aware of his rights to be represented by an attorney. Mr. Walters confirmed he was aware of his rights and was present without counsel. Mr. Walters gave testimony. Mr. Angelucci read into the record Chapter 18 § 1832 ©.

The Board went off the record for deliberations at 1:39 p.m. The Board went back on the record at 1:44 p.m.

Mr. Greene made a motion to deny the application for licensure, seconded by Ms. McDowell. The motion was unanimously approved.

The hearing closed at 1:45 p.m.

Final Denial Hearings

Alfred McNeill was notified via certified mail that the Board proposed to deny his application for licensure as a Texas Hold'Em dealer. Mr. McNeill did not request a hearing. Mr. Greene made a motion, seconded by Ms. McDowell to deny the application. The motion was unanimously approved.

Ryan Shields and David Torterotot were notified via certified mail that the Board proposed to deny their applications for licensure as Texas Hold'Em dealers. There was not further correspondence, and no hearing was requested. Ms. McDowell made a motion, seconded by Mr. Angelucci to deny the applications. The motion was unanimously approved.

UNFINISHED BUSINESS

Review of Third Party Vendor Licenses – Update

Ms. Holt gave an update to the Board and stated a certified letter was sent on February 19, 2010 to the vendors who did not have a current State of Delaware Business License on file with the Board office notifying them that a current State of Delaware Business License was required to continue hosting events. Mr. Greene made a motion to not approve any new applications for events at Go All In poker until a current business license was received. Ms. McDowell seconded the motion. The motion was unanimously approved.

Rules and Regulation Change Public Hearing

Ms. Messina acknowledged the written comments received between February 22, 2010 and March 1, 2010. Ms. Messina clarified that the issues addressed in the correspondence were surrounding "tipping", "member in charge present at the event", and raising the loss limit to higher than "\$150.00".

The Board reviewed with Ms. Heeney the proposed changes to the Rules and Regulations regarding the proposed rules published in the Register of Regulations on February 1, 2010. Ms. Heeney advised the Board to allow public comment on the proposed changes. Ms. Heeney read the proposed changes to the public and advised the Board that they could limit the public comment at that time to just comments regarding the proposed changes.

C. W. Clayton, Full House Poker - Mr. Clayton made comment regarding the blind associations and received comment from the associations regarding availability of visually enabled persons to help support them at the functions and collect the money. The organizations stated they were unable to get someone to come with them to handle the money.

Mr. Angelucci stated the purpose of the Board is to protect the public interest. Mr. Angelucci stated there would be a conflict of interest for a Third Party Vendor to handle the money. Mr. Angelucci stated it is the organization's responsibility to find someone to help them to move forward to participate in this type of fundraising.

Ms. Messina stated there has to be somebody in the organization to do those duties. Ms. Messina advised the Third Party Vendors to contact the organization and not just the volunteers to verify there is no one available to assist at the events.

Ms. McDowell questioned who signed the contract. Mr. Clayton stated the visually impaired person signed the contract.

Mr. Clayton stated he felt it was an unjust circumstance.

Mr. Angelucci stated the handicap did not remove the conflict of interest.

Mr. Greene - if the organization is so concerned with the situation, then is there a member of the organization available to speak to this issue?

Ms. Messina asked Mr. Clayton to research the issue and bring it back to the Board for consideration.

Robert Ivy – Part of the Delaware Select Blue Hens Travel team – Mr. Ivy stated purpose of the organization. Mr. Ivy stated the interest in this is that one incident at one event has handcuffed the organizations. Mr. Ivy stated he personally liked the Third Party Vendors handling the event and money. He stated he enjoys the Third Party vendor being the intermediate between the organization and players.

Ms. Messina stated the Board exists to look out for the public which includes the organizations. Ms. Messina stated the Board wanted to make sure there are members present.

Mr. Ivy asked if it was possible for the third party vendor to give a report.

Ms. Messina read a letter to the Board inquiring why the standard is different amongst poker rooms. Ms. Messina used the letter as an example why the Board wants the organizations to be involved in the handling of the money; it is the organization who has the permit and who will be penalized.

Lou Thibault, Performance Poker in Frankford DE - Mr. Thibault addressed the Board regarding the accusation read in the letter. Mr. Thibault emphatically reassured the Board that his establishment follows the rules outlined by the Board. Mr. Thibault questioned if the accusations led the Board to assume all Third Party Vendors are dishonest.

Ms. Messina stated the Board is not saying that the Third Party Vendors are dishonest. Ms. Messina reiterated the Board's responsibility was to look out for the public interest.

Mr. Angelucci stated the proposed change was not an accusation that third party vendors are corrupt. Mr. Angelucci clarified the vendors are the public, but are not the owner of the license. Mr. Angelucci explained the Board had to make sure the organization was aware of the regulations regarding their license.

Mr. Greene stated when the regulation was proposed, the change was for the non profit to handle the money. The non profit takes the money and the third party vendor just runs the tournament.

Mr. Clayton – what about when a guy cashes out?

Mr. Greene – then he should go back to the table to give the chips to the vendor and the non profit pays out the wins. The Board never had this problem before

Ms. Messina - the Board is not saying the third party vendor cannot help the organizations but saying the group has the information

Mr. Thibault – one question for the Board. When you rent an airplane, do you want an experienced pilot? Do you people play poker? All I am trying to get across, you need an experienced person. Please give us some time to work out these problems.

Bret Sadler – Claymont Renaissance Organization – I've seen so much good coming from the charitable organizations.

Ms. Messina stated when she came on the board there were only three third party vendors; now there are 9.

Bret Sadler – observation for proposed rule change. I've seen proprietor of TripKings move so quick. They can do this much faster than I can.

Ms. Messina – we are not saying that the member in charge is responsible for the money at hand and knowing what is going on; the third party vendor can assist. This is not a brand new discussion and we appreciate your input. We took a lot of things into account.

Ms. Messina explained the progression of the rule change.

Mr. Greene – in the rules and regulations the change is just the organization has to handle the money. The Board will try to help the organizations as much as they can.

Dave Bart – Claymont Business Owners – You stated you want someone who is experienced. In this situation you want someone who is less experienced to handle the money. In your bingo situation, you have someone designated.

Ms. Messina – explained the organization should have and/or train someone to go to look out for your best interest.

Aaron Hemphil of Charitable Games of DE – stated there can be a compromise. What we do is have a non profit there with us. More importantly for the third party vendor at the end of the night to be able have the third party vendor be able to exchange the chips/money. That's more worrisome for the people on this side. He agreed the nonprofits should be in charge of Gross Receipts.

Jay Denver- Trip Kings – rebuys done at the tables, as long as the - just for the rebuys can a third party vendor take the money?

Jim Brady – Public – comments on 6.0. Mr. Brady stated he had a problem with the organization having to handle the money. He stated his organization would need to have the person bonded. Mr. Brady asked where to find proposed regulations changes.

Ms. Messina stated the information was published in the Register of Regulations on the State's website.

Joyce Talley – I've found a lot of organizations don't know where to go find the information of the proposed changes.

Mr. Torbert -Felton High School Alumni Association representative – Mr. Torbert stated he had no idea how poker was played and therefore when monies are shuffled back and forth it is confusing. He stated he preferred 9 organizations handle the money and the organization just watch them.

Mr. Greene – clarified the issue is that the third party vendor is making all the decisions; it's no different for you to collect money from a basketball game. All you have to do is collect the money coming in, and the money for the rebuys. The vendor can do the rest.

Mr. Torbert thanked Mr. Greene for clarifying. Mr. Torbert inquired - So you are saying we have to leave with the money?

Ms. Messina clarified the organization did not have to leave with the money. Ms. Messina stated it was perfectly acceptable for the third party vendor to write a check out to the organization.

Mr. Ivy – is very important to the charities – I trust the poker room and would rather have them be the ones to handle everything.

Ms. Heeney asked the Board what their path forward on this issue was. Ms. Messina asked the Board for consensus.

Steve White – Frederica Fire Company – how are you going to talk about this (6.0) later after you make a ruling on the changes.

Mr. Greene – asked Ms. Talley - how would you handle the rebuys?

Ms. Talley – confusion is with tournaments and charitable gambling. Ms. Talley confirmed that the understanding was the rule changes were for charitable gambling. Ms. Talley confirmed the changes were actually only for Texas Hold'Em tournaments.

Mr. Denver – you still need to address the rebuy.

Mr. Greene – The third party vendor walks around and can carry the chips and the member collects the money.

Mr. Denver – What if there is a larger tournament with only one member in charge.

Mr. Angelucci – What if the wording for the proposal be “if a member in charge supervise the money”

Mr. Collins addressed the Board. Mr. Collins suggested changing the wording to be that “members of charitable organization shall receive the funds” instead of can't touch the money.

After further discussion with the Board and Mr. Collins as to why the wording was more effective, Mr. Greene and Ms. Messina agreed that the wording was acceptable.

Mr. Denver stated he counts the money and amount is put in the computer and it tells how much the payout should be.

Mr. Greene – who makes sure the tax form is issued? Mr. Greene asked Mr. Collins what his suggestion was.

Mr. Greene stated he will make the suggestion the board accept the wording modification to read “Only a member of the sponsoring organization may receive funds during the tournament.”

Ms. Heeney asked Mr. Collins for clarification of the process.

Ms. Heeney clarified the change would require the Board to publish the new change in the Register of Regulations and have a hearing at the May meeting.

Rob McFarland – requested clarification from Mr. Greene if this rule included charitable gambling.

Mr. Greene clarified the purpose of the rule.

Mr. Greene made a motion to make proposed change 6.0 to 2.2 “Only a member of the sponsoring organization may receive funds during the tournament.” Mr. Angelucci seconded the motion. The motion was unanimously approved.

Ms. Heeney announced the rule must be revised and republished in the April 1 Register of Regulation and be finalized at the May 6, 2010 meeting.

Proposal to Deny Hearings

Mr. Angelucci made a motion, seconded by Ms. McDowell to amend the agenda to include the review of the Roxana Volunteer Fire Company. The motion was unanimously approved.

Ms. Messina stated the Ronald McDonald's House Charities, Ladies Auxiliary of Georgetown Fire Department, and the Roxana Volunteer Fire Company applications were now complete. Mr. Angelucci made a motion, seconded by Ms. McDowell to approve the applications. The motion was unanimously approved.

Cancellation of Raffle Notification

Ms. Messina reviewed the documents provided by the Los Padres Foundation as proof of notification of cancellation of the event. Ms. McDowell made a motion, seconded by Mr. Angelucci to accept the documents. The motion was unanimously approved.

NEW BUSINESS

Election of Officers

Ms. Messina nominated Mr. Greene for the position of Chairman. Mr. Barrie seconded the nomination. With no further nominations, Mr. Greene was unanimously approved for the position of Chairman.

Mr. Greene nominated Ms. Messina for the position of Vice-Chairperson. Ms. McDowell seconded the nomination. With no further nominations, Ms. Messina was unanimously approved for the position of Vice-Chairperson.

Executive Session

Mr. Greene made a motion, seconded by Ms. McDowell to enter into Executive Session at 3:33 p.m. to review the applications for Texas Hold'Em Individual Dealer licenses. The motion was unanimously approved. Mr. Greene made a motion, seconded by Mr. Angelucci to end Executive Session. The motion was unanimously approved.

Mr. Greene made a motion, seconded by Ms. McDowell to approve the application for Individual Texas Hold'Em Dealer of Donald Dirks. The motion was unanimously approved.

Mr. Greene made a motion, seconded by Mr. Angelucci to propose to deny the application for Individual Texas Hold'Em Dealer of Kyle Stacy. The motion was unanimously approved.

Ms. McDowell made a motion, seconded by Mr. Greene to approve the application for Individual Texas Hold'Em Dealer of Carol Williams. The motion was unanimously approved.

Mr. Angelucci made a motion, seconded by Mr. Greene to approve the application for Individual Texas Hold'Em Dealer of Ellis Rath. The motion was unanimously approved.

Chairman's Report

Mr. Collins addressed the Board regarding the procedure for processing applications and possible suggestions to improve the process. Mr. Collins expressed the commitment of the Division of Professional Regulation to work with the Board to improve the processing of applications to ensure efficiency.

Ms. Messina discussed the procedure to organizations to request snow dates for events that were scheduled during the severe weather conditions in January and February. Ms. Messina stated the organizations should submit an After Occasion Report for the event that was cancelled, indicating CANCELLED on the report. In addition, they should send the alternate date request in writing on a separate application to the Board office for review. This application would not require a new fee. The Board would review the requests to ensure compliance with established rules and regulations regarding the number of allowable events in a specified period of time.

Ms. Messina reported she researched the statute from New Jersey regarding the electronic bingo usage. Mr. Greene asked Mr. Collins what he thought about electronic bingo. Mr. Collins stated he was not present at the

demonstration and could not offer any opinion or comment. After further discussion, Ms. Messina stated the Board would continue to research information from other states regarding electronic bingo.

Review of Application for Texas Hold 'Em Tournament(s)

The Board reviewed the applications for Aquinas Academy, Inc; Claymont Moose Lodge # 847; Claymont Renaissance Development Corporation; Claymont Business Owner's Association; Colonial Post 838 Veterans of Foreign Wars; and Colonial VFW Post 838 Men's Auxiliary. Mr. Greene made a motion, seconded by Ms. McDowell to approve the events. The motion was unanimously approved.

The Board reviewed the application for Men's Auxiliary Diamond State VFW Post 2863 and determined the organization needed a separate IRS Determination/Affirmation letter to be eligible to host events separate from the allowable events of the Diamond State VFW Post 2863. Mr. Greene made a motion, seconded by Ms. McDowell to approve the application contingent upon receive of the IRS letter. The motion was unanimously approved.

Mr. Greene made a motion, seconded by Ms. McDowell to approve the applications for Diamond State Post 2863 Veterans of Foreign Wars; First State Force Fastpitch Softball Inc ; Fraternal Order of Police #15 – City of Dover; Harrington Fire Company, Inc ; Hall-Burke Post 5447 Veterans of Foreign War; Hall-Burke Post 5447 Veterans of Foreign Wars Ladies Auxiliary; Ki-Yi Pup Tent No 1; American Legion R C DuPont Post 18; R C DuPont Unit 18 American Legion Auxiliary; United Cerebral Palsy of Delaware Inc; Walter L. Fox Post No. 2 – The American Legion; Thomas Cooper Ladies Auxiliary 475; and Lt. J. Allison O'Daniel Post 10 The American Legion. The motion was unanimously approved.

Mr. Angelucci made a motion, seconded by Mr. Barrie to approve the application for Lt. J. Allison O'Daniel VFW Post 475 – Home Fund. The motion was unanimously approved.

Mr. Angelucci made a motion to approve the application for Lt. J. Allison O'Daniel VFW Post 475 and Lt. J. Allison O'Daniel Men's Auxiliary. The motion was withdrawn after further discussion. Mr. Greene made a motion, seconded by Ms. McDowell to require the organizations to provide proof of individual IRS determinations and then have the permits issued under the Delegation of Authority when the documents were received. The motion was unanimously approved.

Mr. Angelucci made a motion, seconded by Mr. Greene to approve the applications for Salesianum School Inc, and Edgemoor Community Center Inc. The motion was unanimously approved.

Review of Charitable Gambling Event Application(s)

The Board reviewed the application for Aquinas Academy Inc. Ms. McDowell made a motion, seconded by Mr. Greene to approve the application. The motion was unanimously approved.

The Board reviewed the application for the American Heart Association. Mr. Greene made a motion, seconded by Ms. McDowell to approve the application contingent upon receipt of past due after occasion reports. The motion was unanimously approved.

The Board reviewed the applications for Bethel Historical Society and Brandywine Community Resource Council. Mr. Angelucci made a motion, seconded by Mr. Barrie approve the applications. The motion was unanimously approved.

The Board reviewed the application for Camp Rehoboth. Mr. Greene made a motion, seconded by Ms. McDowell to approve the application. The motion was unanimously approved.

The Board reviewed the applications for Claymont Moose Lodge #847, Inc., Claymont Renaissance Development Corporation, Claymont Business Owners Association, Colonial Post 838 Veterans of Foreign Wars, and Colonial VFW Post 838 Men's Auxiliary. Mr. Greene made a motion, seconded by Ms. McDowell to approve the applications. The motion was unanimously approved.

The Board reviewed the application for Children's Beach House. Mr. Greene made a motion, seconded by Ms. McDowell to approve the application. The motion was unanimously approved.

The Board reviewed the applications for Delaware SPCA Sussex. Mr. Angelucci made a motion, seconded by Mr. Barrie to approve the applications. The motion was unanimously approved.

The Board reviewed the applications for Ducks Unlimited, and Delaware Manufactured Home Owners Association. Mr. Angelucci made a motion, seconded by Mr. Greene to approve the applications. The motion was unanimously approved.

The Board reviewed applications for Delaware Veterans Inc, Post #2, Men's Auxiliary Diamond State VFW Post 2863, Diamond State Post 2863 Veterans of Foreign Wars, and Delaware Storm Travel Teams. Mr. Angelucci made a motion, seconded by Ms. McDowell to approve the applications. The motion was unanimously approved.

The Board reviewed the application for Delaware Blue Hens Select Baseball 12U. Mr. Angelucci made a motion, seconded by Ms. McDowell to approve the application. The motion was unanimously approved.

The Board reviewed the application for Delaware Blue Hens Select Baseball 10U. Mr. Angelucci made a motion, seconded by Ms. McDowell to approve the application contingent upon receipt of the group's individual IRS affirmation letter. The motion was unanimously approved.

The Board reviewed the applications for First State Force Fastpitch Softball Inc, Frankford Volunteer Fire Company, Hall-Burke Post 5447 Veterans of Foreign Wars, Hall-Burke Post 5447 Veterans of Foreign Wars Ladies Auxiliary, Ki-Yi Pup Tent No. 1, Lewis Lions Inc, Lower Sussex Little League Inc, and Milton Little League. Mr. Greene made a motion, seconded by Ms. McDowell to approve the applications. The motion was unanimously approved.

The Board reviewed the application of the National Kidney Foundation of Maryland. Mr. Greene made a motion, seconded by Ms. McDowell to propose to deny the application because the organization is not located in Delaware. The motion was unanimously approved.

The Board reviewed the applications for Pyle Child Development Center Inc, American Legion R C DuPont Post 18, R C DuPont Unit 18 American Legion Auxiliary, (Indian) River Soccer Club, and Sussex County Foster Parent Cluster Association. Mr. Greene made a motion, seconded by Ms. McDowell to approve the applications. The motion was unanimously approved.

The Board reviewed the applications for United Cerebral Palsy of Delaware Inc and Thomas Cooper Ladies Auxiliary 475. Mr. Greene made a motion, seconded by Mr. Angelucci to approve the applications. The motion was unanimously approved.

The Board reviewed the application for Lt. J. Allison O'Daniel Post 10 The American Legion. Mr. Angelucci made a motion, seconded by Ms. McDowell to approve the application. The motion was unanimously approved.

The Board reviewed the application for Lt. J. Allison O'Daniel VFW Post 475 – Home Fund. Mr. Greene made a motion, seconded by Ms. McDowell to approve the application contingent upon receipt of individual IRS affirmation documents. The motion was unanimously approved.

The Board reviewed the applications for Lt. J. Allison O'Daniel VFW Post 475 and Lt. J. Allison O'Daniel Men's Auxiliary. Mr. Greene made a motion, seconded by Ms. McDowell to require the organizations to provide individual IRS affirmation letters and when the documents are received, issue the permits under the Delegation of Authority. The motion was unanimously approved.

The Board reviewed the application for Camden-Wyoming Little League. Mr. Greene made a motion, seconded by Mr. Barrie to approve the application contingent upon receipt of the organizations by-laws and IRS affirmation letter. The motion was unanimously approved.

The Board reviewed the applications for Delmarva Model Railroad, Diamond Dreams Youth Baseball and Softball, Diamond State Swoop, Georgetown Kiwanis Club, Laurel Fire Department Inc, American Legion Post 24, and DelMar Pop Warner Football, Inc. Mr. Angelucci made a motion, seconded by Ms. McDowell to approve the applications. The motion was unanimously approved.

The Board reviewed the application for Soccer without Borders. Mr. Greene made a motion, seconded by Mr. Angelucci to approve the application contingent upon receipt of past due after occasion reports. The motion was unanimously approved.

The Board reviewed the application for Spuck and Lib Bennett Scholarship Fund. Mr. Greene made a motion, seconded by Ms. McDowell to approve the application contingent upon receipt of the letter authorizing the use of the facility. The motion was unanimously approved.

The Board reviewed the applications for American Cancer Society and Edgemoor Community Center. Mr. Angelucci made a motion, seconded by Ms. McDowell to approve the applications. The motion was unanimously approved.

Review of Original Bingo Applications

There were no Original Bingo Applications to review.

Review of Bingo Event Application(s)

The Board reviewed the application for Bowers Ladies Auxiliary. Mr. Greene made a motion, seconded by Mr. Angelucci to approve the applications. The motion was unanimously approved.

The Board reviewed the application for the Benevolent & Protective Order of the Elks of the USA. Ms. Messina made a motion, seconded by Mr. Angelucci to approve the application contingent upon receipt of an adjusted jackpot amount to comply with the current legal limit. The motion was unanimously approved.

The Board reviewed the application for the Ladies Auxiliary of the Farmington Volunteer Fire Company. Mr. Greene made a motion, seconded by Ms. McDowell to approve the application. The motion was unanimously approved.

The Board reviewed the application for Harrington Little League. Mr. Angelucci made a motion, seconded by Mr. Barrie to approve the application contingent upon receipt of the past due after occasion report. The motion was unanimously approved.

The Board reviewed the applications for the Laurel Lion Club and Nanticoke Little League. Mr. Angelucci made a motion, seconded by Ms. McDowell to approve the applications. The motion was unanimously approved.

The Board reviewed the application for Oak Orchard Riverdale American Legion. Mr. Greene made a motion, seconded by Ms. McDowell to approve the application contingent upon receipt of the past due after occasion reports. The motion was unanimously approved.

The Board reviewed the application for The Justin Jennings Foundation. Mr. Greene made a motion, seconded by Ms. McDowell to approve the application contingent upon receipt of the letter authorizing use of the facility. The motion was unanimously approved.

The Board reviewed the application for the Camden-Wyoming Moose #203. Mr. Greene made a motion, seconded by Mr. Angelucci to approve the application contingent upon receipt of the past due after occasion report. The motion was unanimously approved.

The Board reviewed the application for Nanticoke Memorial Hospital. Ms. McDowell made a motion, seconded by Mr. Greene to approve the application contingent upon receipt of the past due after occasion reports. The motion was unanimously approved.

The Board reviewed the applications for American Cancer Society Relay for Life, Cheswold Volunteer Fire Company, and St. Georges Athletic Booster Club. Mr. Greene made a motion, seconded by Mr. Angelucci to approve the applications. The motion was unanimously approved.

Review of Raffle Application(s)

The Board reviewed the applications for Connecting Generations Inc, Girls Incorporated of Delaware, Horsey Family Youth Foundation, Children and Families First, and Today Media Charitable Foundation. Mr. Barrie made a motion, seconded by Ms. McDowell to approve the applications. The motion was unanimously approved.

The Board reviewed the application for Today Media Charitable Foundation. Mr. Greene made a motion, seconded by Ms. McDowell to approve the application contingent upon receipt of the past due after occasion report. The motion was unanimously approved.

Review of Instant Bingo Application(s)

There were no applications to review.

Request to Change Date of Approved Event

The Board reviewed the request from the Police Unity Tour to change the date of their Charitable Gambling event scheduled for January 30, 2010 due to the extreme weather conditions. Mr. Angelucci made a motion, seconded by Ms. McDowell to approve the request. The new event date is July 6, 2010. The motion was unanimously approved.

Approval of Licensure List(s)

The Board reviewed the licensure list for Charitable Gambling applications. Mr. Greene made a motion, seconded by Ms. McDowell to approve the applications listed under Charitable Gambling. The motion was unanimously approved. The organizations approved are listed below:

- Capitol City Lions Club
- Cats Around Town Society, Inc (CATS)
- Benevolent & Protective Order of Elks of the USA
- Debra L. Sipple Memorial Inc
- Dover Lioness Club
- Delaware Center for the Inland Bays, inc
- Fraternal Order of Police Lodge #15-City of Dover

Frederica Volunteer Fire Company
Henlopen Soccer Club
Knights of Columbus – Dover Council #4182
Leukemia and Lymphoma Society
Midway Lions Club Inc
Police Unity Tour Inc
Rehoboth Beach Main Street
Rehoboth Beach Volunteer Fire Company
Safe Haven Animal Sanctuary of Sussex County, Delaware
Smyrna Lions Club
Dalmatian Rescue
Lower Delaware Autism Foundation
Modern Maturity Center*
St. Helena R.C. Church*
New Coverdale Outreach Mission, Inc*
Rehoboth Beach Library*
Rehoboth Beach Lions Club*
Southern Delaware Horse Retirement Assoc Inc*
Seaford Volunteer Fire Dept*
Sussex County Lodge #9 Fraternal Order of Police Inc*
Seaford Alumni Association Foundation*
Vietnam Veterans of America*

The Board reviewed the licensure list for Bingo applications. Mr. Greene made a motion, seconded by Ms. McDowell to approve the applications listed under Bingo. The motion was unanimously approved. The organizations approved are listed below:

Delmar Fire Department Ladies Auxiliary
Friends for Responsible Pet Care – at Aetna Fire Hall
Grand Chapter of Delaware Order of Eastern Star – at Millsboro Fire Hall
Harrington Senior Center Inc – at Harrington Fire Co. Community Hall
Lenape Indian Tribe of Delaware – at Cheswold Fire Company
Pot-Nets Home Owners Association – at Pot-Nets Bayside/Pot-Nets Lakeside
Benevolent & Protective Order of the Elks Seaford Lodge #2458
Camden Wyoming Fire Company
Camden Wyoming Lions Club
Lewes Senior Citizens Center Inc
BPOE of USA – DBA: Milford Elks Lodge No 2401
BPOE of USA – DBA: Milford Elks Lodge No 2401
Mamie Warren Senior Center
St. John the Baptist R.C. Church*
Sussex County Amvets Post 2*
American Legion Post 2 Walter L Fox*
Magnolia Volunteer Fire Company*

The Board reviewed the licensure list for Raffle applications. Mr. Greene made a motion, seconded by Mr. Angelucci to approve the applications listed under Raffle. The motion was unanimously approved. The organizations approved are listed below:

Sanford Home & School
Milford Lions Club

Hearings/Consent Agreements

There were no hearing notices or consent agreements presented for consideration.

Closed Complaints

There were no closed complaints to report.

Complaint Updates

The Board received a recommendation from the Investigative Unit to close Complaint number 22-16-09. Mr. Greene made a motion, seconded by Mr. Angelucci to close the complaint. The motion was unanimously approved.

Complaint Assignments

Complaint number 22-01-10 was reassigned to Mr. Angelucci.

After Occasion Reports

There were no after occasion reports to review.

Delegation of Authority (permits issued)

Mr. Greene made a motion, seconded by Mr. Angelucci that any application that is submitted to the Board that indicates alcohol will be served at the event held off the organization's premises must provide a copy of the required gathering license issued by the Alcoholic Beverage Control Commission prior to approval. The motion was unanimously approved.

Ms. Holt inquired as to the Board's desired method of notifying the public of this new requirement. Mr. Greene indicated Ms. Holt should contact the third party vendors and have them notify their organizations.

Mr. Greene made a motion, seconded by Ms. McDowell to amend the 10 day deadline requirement for applications to allow Texas Hold'Em dealer applications to be added to the agenda at any time. The motion was unanimously approved.

Other Business (for discussion only)

Ms. Holt requested the Board move the time for the April 1, 2010 meeting to 12:00 p.m. to accommodate the administrative needs of the Division to process approved events for the Good Friday holiday weekend. The Board agreed to move the meeting time to 12 p.m. for April 1, 2010.

Public Comment

Ms. Talley brought to the attention of the Board, an inquiry from the Brother Vincent Columbiettes. Ms. Talley stated the organization's representative was unable to stay for the Public Comment portion of the meeting due to how late the meeting had run. The organization applied for events that were reviewed at the January meeting. The Board proposed to deny the application on January 7, 2010 because the after occasion report had not been recorded; however the organization delivered the after occasion report on December 28, 2009. Ms. Talley contacted the organization and spoke with Ms. Holt on January 12, 2010. On January 18, 2010, the organization sent an email requesting to change one of the event dates due to an internal conflict. Ms. Holt informed the organization they must send a letter to the Board requesting to cancel the date and apply for the new date, including submitting a new fee. Ms. Holt confirmed she had contact with the organization member, explained that the application could not be amended once the Board had reviewed and made a ruling regarding the application, and that to have the Board consider a new date, the organization must provide in writing a request to the Board indicating the already approved event was canceled. Ms. Messina state the issue could have possibly been handled under the Delegation of Authority.

Ms. Talley asked what the Board uses to determine proposal to deny for an application as opposed to approving an application on a contingency.

Mr. Greene stated the determination is made based on the date of the proposed event.

Ms. Talley thanked the Board for their communication.

Next Meeting Date

The Board will hold a meeting on April 1, 2010 at 1:00 p.m. in Conference Room B of the Cannon Bldg, 861 Silver Lake Blvd, Dover, Delaware, 19904.

Adjournment

There being no further business before the Board, Mr. Greene made a motion, seconded by Ms. McDowell to adjourn the meeting at 5:40 p.m. The motion was unanimously approved.

Respectfully submitted,

A handwritten signature in cursive script that reads "Renee M. Holt".

Renee' M. Holt
Administrative Specialist II